

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, NOVEMBER 14, 19 78

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening November 14 A.D., 19 78, in
Regular Session. President Samuel J. Talarico in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS ☒, HINGA A, HUNTER A,
MOSES ☒, NUCKOLS ☒, DONALD SCHMIDT ☒,
VIVIAN SCHMIDT ☒, STIER ☒, TALARICO ☒,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of September,
19 78. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular October 24, 19 78,
_____, 19 _____,
Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF SEPTEMBER, 1977

DATE

OFFICE OF RECORD

CHARLES W. WESTERMAN, CONTROLLER

CITY CLERK

FUNDS	BEGINNING	RECEIPTS	TOTAL	DISBURSED	DISBURSED	TOTAL	
	BALANCE	FOR MONTH	BALANCE AND RECEIPTS	TO DATE	FOR MONTH	DISBURSED	BALANCE
GENERAL FUND	1,364,302.22	829,399.99	1,444,202.21	11,634,932.48	1,241,771.07	12,876,703.55	82,517.14
CIVIL CITY PAYROLL FUND-1975	147,595.75	1,315,133.64	1,462,729.39	11,066,833.90	1,263,358.47	12,330,192.37	209,369.33
UTILITIES-ELECTRIC	563.12	2,117,360.75	2,117,923.87	23,383,647.52	2,050,623.85	25,434,271.37	57,300.45
UTILITIES- WATER	54,381.46	1,606,374.99	1,660,756.45	11,297,447.61	1,449,233.95	12,746,681.56	172,122.90
UTILITIES-SEWER	41,582.14	4,613,242.19	4,654,824.32	33,159,690.70	3,392,254.12	36,552,058.82	1,252,454.20
CIVIL CITY PAYROLL FUND-1977	0.00	0.00	0.00	0.00	0.00	0.00	0.00
COOPER TRUST FUND	35.93	0.00	35.93	114,950.32	0.00	114,950.32	35.93
R-51 ANTHONY WAYNE BANK	6,271.64	5,500.00	15,771.64	110,246.75	0.00	110,246.75	15,771.64
REDEVELOPMENT, MAIN ST. PROJ.	30,222.25	200,500.00	230,722.25	2,435,213.11	175,974.00	2,611,187.11	54,741.25
CETA	659,714.03	1,996,187.11	2,655,901.14	11,351,474.34	1,056,275.00	12,407,749.34	1,599,517.34
AVIATION	20,022.60	661,142.95	681,165.55	2,890,601.57	525,913.57	3,416,515.14	155,111.02
PARK GENERAL	62,035.18	922,223.25	984,258.43	5,060,103.29	625,575.33	5,685,678.62	234,708.14
PARK TRUST	5,708.30	181,873.36	187,581.66	641,380.73	194,982.56	836,363.29	6,500.30
REDEVELOPMENT GENERAL	19,275.17	8,423.47	27,698.64	40,544.41	8,741.42	49,339.83	18,957.22
R-53 REVOLVING FUND	2,633.01	12,423.52	15,056.53	70,716.50	6,122.48	76,838.98	6,104.25
REDEVELOPMENT DIST. BOND FUND	2,771.47	10,595.82	13,367.29	215,182.50	0.00	215,182.50	34,466.87
WATER, HIGHWAY FUND	674,235.62	159,156.72	833,392.34	2,037,206.49	144,276.15	2,181,482.64	447,545.55
SEWER RELIEF	5,111.57	11,715.32	16,826.89	27,245.43	21,414.48	48,660.91	31,441.15
E.E.C.-706 CONTRACT	16,275.99	10,830.00	27,105.99	20,023.94	5,553.88	25,577.82	21,552.11
PARKING ADMINISTRATION	11,039.21	23,871.71	34,910.92	145,143.56	17,499.20	162,642.76	114,271.72
PUBLIC LIGHTING	21,235.81	2,200.00	23,435.81	47,042.72	0.00	47,042.72	23,435.81
REVENUE SAVING TRUST FUND	1,252,454.71	309.44	1,252,764.15	3,321,713.20	164,911.56	3,486,624.76	1,087,752.61
L.P. #11	186,636.02	272,941.30	459,577.32	1,067,355.94	313,132.07	1,380,487.95	145,244.45
ANTI RECESSION - 2 UP	4,441.36	4,441.36	8,882.72	15,441.36	2,917.34	18,358.70	47,335.72
HUMANITY TRUST	13,777.24	1,750.55	15,527.79	12,265.95	0.00	12,265.95	13,261.84
LOCAL ROAD 4 STREETS	345,125.43	1,055,119.82	1,400,245.25	1,907,245.35	159,044.17	2,066,289.52	1,212,676.68
MUNICIPAL UTILITIES-PEN	10,655.55	8,125.65	18,781.20	64,461.18	9,275.64	73,736.82	19,556.55
FIRE PENSION FUND	180,086.54	73,492.00	253,578.54	673,454.85	127,475.44	800,930.29	234,041.92
POLICE PENSION FUND	213,829.77	74,180.00	288,009.77	1,058,581.18	135,071.64	1,193,652.82	274,931.41
SALUTARY SERVICES-PEN	11,222.44	4,125.37	15,347.81	52,022.40	5,552.71	57,575.11	13,516.40
REDEVELOPMENT DISTRICT CAPITAL	4,754.67	329,929.16	334,683.83	1,097,927.10	207,997.07	1,305,924.17	126,727.76
CUMULATIVE CAPITAL IMPROVEMENT	264,121.27	0.00	264,121.27	237,437.12	752.30	238,189.42	253,369.97
FINE ARTS FOUNDATIONS	7,916.01	1,550.00	9,466.01	15,240.40	7,750.00	22,990.40	2,066.01
ACCIDENT REPORT ACCOUNT	10,461.25	2,932.00	13,393.25	15,675.27	1,483.65	17,158.92	11,352.60
PAYROLL PENSION FUND	0.00	267,127.91	267,127.91	2,058,553.05	267,127.91	2,325,680.96	0.00
CITY PENSION FUND TRUST	0.00	0.00	0.00	42.50	0.00	42.50	0.00
FT. WAYNE FIREFIGHTING FUND	75,282.17	31,975.90	107,258.07	22,841.30	13,152.91	36,004.21	94,105.16
PARK CUMULATIVE BOND FUND	63.29	172,245.14	172,308.43	174,900.00	172,900.00	347,800.00	309.45
INDIANA A-14 REDEVELOPMENT	8,729.85	0.00	8,729.85	25,365.06	0.00	25,365.06	8,729.85
OMNIBUS CHILD CONTROL	21,852.99	0.00	21,852.99	112,054.44	5,377.98	117,432.42	16,475.11
CITY PAYROLL FUND	133,795.51	0.00	133,795.51	3,054,351.81	0.00	3,054,351.81	133,795.51
JUNK CAR FUND	11,405.72	13.50	11,419.22	2,555.01	0.00	2,555.01	11,419.22
CITY REVOLVING FUND	629.63	23.00	652.63	69,962.37	0.00	69,962.37	652.63
FIRE PENSION FUND - 5/1/77	10,342.24	900.00	11,242.24	1,598.51	0.00	1,598.51	11,242.24
POLICE PENSION FUND - 5/1/77	12,473.96	2,300.00	14,773.96	22,764.85	0.00	22,764.85	14,773.96
STREET BOND FUND/1975	328,943.34	0.00	328,943.34	100,000.00	0.00	100,000.00	328,943.34

CITY CONTROLLER'S & CITY TREASURER'S FINANCIAL STATEMENT

SEPTEMBER, 1978

INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	TOTAL DISBURSED 1978	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
(12) UTILITIES, ELECTRIC	2,100,000.-	1,450,000.-	650,000.-	14,400,000.	750,000.	15,150,000.	1,400,000.
(13) UTILITIES, WATER	1,550,000.-	900,000.	650,000.-	5,450,000.	550,000.	6,000,000.	1,200,000.
(14) UTILITIES, SEWER	4,250,000.-	3,900,000.	350,000.-	23,750,000.	2,750,000.	26,500,000.	3,100,000.
(18) W. MAIN ST. PROJECT/RED.	1,200,000.-	200,000.	1,000,000.-	2,200,000.	175,000.	2,375,000.	1,175,000.
(20) AVIATION	641,530.-		641,530.-	1,791,530.		1,791,530.	641,530.
(21) PARK GENERAL	700,000.-	700,000.		2,565,000.	300,000.	2,865,000.	300,000.
(22) PARK TRUST	214,000.-		214,000.-	574,000.	130,000.	704,000.	344,000.
(26) REDEVELOPMENT DIST. BOND	156,500.		156,500.	156,500.		156,500.	156,500.
(28) M.V.H.				200,000.		200,000.	
(34) REV. SHARING				1,275,000.		1,275,000.	
(38) LOCAL ROAD & STREETS				600,000.		600,000.	
(43) AVIATION/SMITH FIELD	358,470.		358,470.	710,445.		710,445.	358,470.
(44) REDEVELOPMENT DIST. CAPT.	325,000.	325,000.		800,000.	200,000.	1,000,000.	200,000.
(55) PARK CUM. CAPT.	168,900.	168,900.		174,900.	172,000.	346,900.	172,000.
(99) INVESTMENTS	7,125,000.	3,175,000.	3,950,000.	23,684,000.	5,098,000.	28,782,000.	9,048,000.
(80) STREET BOND				100,000.		100,000.	
TOTALS	18,789,400.	10,818,900.	7,970,500.	78,431,375.	10,125,000.	88,556,375.	18,095,500.

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF SEPTEMBER, 1978

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
STREET BOND RETIREMENT	24,477.92-	27,800.00	3,322.08	150,314.74	0.00	150,314.74	3,322.02
CDRG DISCRETIONARY	28,833.71-	110,882.76	82,044.91-	364,106.58	153,103.38	517,209.96-	71,954.40-
TITLE XX - CD&P	254.04-	0.00	254.04-	3,123.38	0.00	3,123.38	254.04-
FEDERAL REVOLVING FUND	19,219.87	34,333.93	53,553.80	96,267.19	25,365.22	122,252.40	28,169.58
COMMUNITY RENEWAL PROGRAM	4,815.95-	0.00	4,815.95-	10,367.98	162.95	10,525.93	4,878.80-
E.O.A. GRANT	36,667.52	28,750.00	62,437.52	53,831.62	12,040.93	65,872.55	50,356.69
COMMUNITY DEVELOPMENT GRANT	79,253.29-	114,754.03	35,500.74	562,177.91	8,443.51	570,621.42	27,057.23
SENIOR CITIZENS CENTER	16,175.41	6,940.00	23,115.41	20,634.59	1,620.42	22,255.01	21,434.59
RECREATIONAL SUPPORT PROGRAM	12,956.73	0.00	12,996.73	15,470.70	8,730.73	24,201.43	4,266.00
BARF ST. RIVERBANK IMP.-CD&P	0.00	0.00	0.00	1,308.60	0.00	1,308.60	0.00
INVESTMENTS	7,325,000.00-	3,175,000.00	4,150,000.00-	24,834,000.00	14,898,000.00	29,732,000.00	5,048,000.00-
LAND SALE - SMITH FIELD	0.00-	0.00	0.00-	710,445.00	0.00	710,445.00	0.00-
EMS TRUST FUND	435.91	0.00	435.91	9,581.55	125.00	9,706.55	310.91
LR & S SPEC.DISTRIBUTION FUND	959,511.70	0.00	959,511.70	0.00	959,511.70	959,511.70	0.00
LVH SPEC.DIST.FUND	113,966.58	82,677.24	196,583.82	216,668.21	33,763.84	250,432.05	162,319.92
CORRECTION CENTER-LAND	328,480.00	0.00	328,480.00	0.00	0.00	0.00	328,480.00
CETA PAYROLL FUND 1978	120,245.89	771,243.66	891,489.55	2,075,658.12	726,400.03	2,802,058.15	165,089.72
CIVIC CT. RED. BLK. I & III	953,441.00	915,173.00	1,909,614.00	990,159.00-	4,697.00	910,856.00-	1,904,317.00
TOTALS	168,655.48	22,280,674.09	22,449,329.57	162,788,698.49	20,754,471.90	183,533,776.39	1,694,257.67

ADJUSTMENTS (EXPLAIN FULLY)

BALANCE (COL. 7 MUST AGREE WITH COL. 8)

President of the Common Council
City of Fort Wayne, Indiana

MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK
DATE 11-14-78

Gentlemen:

Attached hereith are authenticated copies of the Board
of Public Safety Regulatory Resolution Number: 58/78/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 58/78/D)

I hereby certify that I did this 24th day of October, 1978 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 58/78/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as ~~Secretary~~ ^{Chairman} of said Board, in accordance with the provisions of Section 17-4(a) of Chapter 17 Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Larry Coonan

CHAIRMAN
~~EXECUTIVE SECRETARY~~

REGULATORY RESOLUTION NO. 58/78 /D

(Adopted October 24, 19 78)

WHEREAS, Section 17-4(a) (2), Chapter 17. Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to 14: PREFERENTIAL INTERSECTION
(DELEGATED) 121: NO PARKING 7:00 AM-4:00 PM SCHOOL DAYS ONLY
(DELEGATED)

_____; and,
WHEREAS, the City Traffic Engineer has, by written memorandum dated October 23, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17. Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective October 24, 19 78, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING 7:00 AM - 4:00 PM SCHOOL DAYS ONLY (DELEGATED)

Glencairn Dr. -- both sides -- from Fairlawn Pass to Thames Dr.

PREFERENTIAL INTERSECTION (DELEGATED)

Woodstock Dr. -- preferential -- at Devon Dr.

MADE A MATTER OF RECORD
DATE 11-14-78 CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Number: 59/78/E

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolution a matter of record and incor-
porate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 59/78/E)

I hereby certify that I did this 26th day of October, 1978 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 59/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Larry Coonan
CHAIRMAN
XXXXXXXXXXXXXXXXXX

REGULATORY RESOLUTION NO. 59/78/E

(Adopted October 26, 19 78)

WHEREAS, Section 7-4(a) (3), Chapter 17 . Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to 90 MINUTE PARKING 8 A.M. TO 6 P.M. (EMERGENCY);

NO PARKING (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated October 26, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective October 26, 19 78, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

90 MINUTE PARKING 8 A.M. TO 6 P.M. (EMERGENCY)

Forest Avenue -- north side -- from Anthony Blvd. to Kensington Blvd.
Kensington Blvd. -- both sides -- from Forest Avenue to East State Blvd.

NO PARKING (EMERGENCY)

Forest Avenue -- south side -- from Anthony Blvd. to Kensington Blvd.

11-14-78
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public
Safety Regulatory Resolution Number: 60/78/E.

For the Purpose of enforcement, please make this communication and
the attached Regulatory Resolution a matter of record and incor-
porate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Terry Coonan

Terry Coonan, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 60/78/E)

I hereby certify that I did this 31st day of October, 19 78 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 60/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 7-4(a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Jerry Coonan

CHAIRMAN
~~EXECUTIVE SECRETARY~~

REGULATORY RESOLUTION NO. 60/78/E

(Adopted October 31, 1978.)

WHEREAS, Section 7-4(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 46/78/E:

STOP INTERSECTION (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated October 26, 19 78, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective October 31,

19 78, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Thompson Ave.

--stop--

for Swinney Ave.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

william t. hinga

councilman, 3rd district

MADE A MATTER OF RECORD
DATE 11-14-78 CHARLES W. WESTERMAN, CITY CLERK

November 9, 1978

To the Common Council
Fort Wayne, IN

Gentlemen and Mrs. Schmidt:

I will be unable to attend the meetings of November
14 & 21, & 28, 1978, of Common Council, because I shall
be out of town.

Sincerely yours,

William T. Hinga
Councilman, 3rd District





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

MADE A MATTER OF RECORD
DATE 11-14-78 BY CHARLES W. WESTERMAN, CITY CLERK

27 October 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-78-09-50

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of October 1978.

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

27 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one utility easement vacation acted upon by the City Plan Commission at their regular meeting held October 23, 1978. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-78-09-50
2. Intended Use: Vacated Easement will be utilized by abutting property owners.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The petitioner will dedicate an adequate easement to relocate utilities now existing in the easement now being vacated.

If there are any questions with regard to this ordinance, please feel free to call on us.

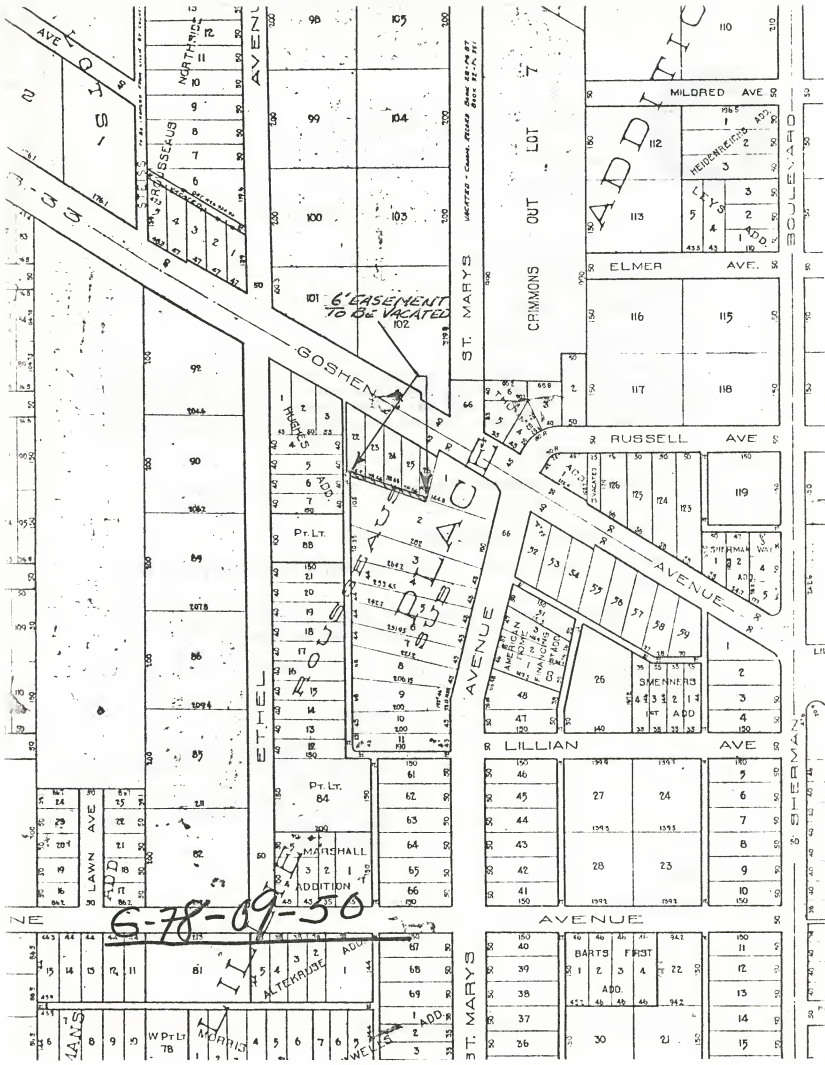
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten (pb)
Gary F. Baeten
Senior Planner

GFB:pb

Attachments



6-78-09-50

ALTAIR DRIVE

MORRIS

WELLS

ST. MARYS

AVENUE

ST. MARYS

CRIMMONS

OUT LOT

GOSHEN

ETHEL

LAWN AVE

MILDRED AVE

HEIDENREICH

ELMER AVE

RUSSELL AVE

SMENERS

LILLIAN AVE

AVENUE

BARTS FIRST

ADD.

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R E S O L U T I O N

WHEREAS, MC DONALD'S RESTAURANT has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated public utility easement in Fort Wayne, Allen County, to-wit:

An easement, 6 feet in width, for pole lines, sewer and gas, over the Southerly 3 feet of Lots 22, 23, 24, 25, and 26 and over that part of the Northerly 3 feet of Lot 2 lying Westerly of the Southerly projection of the Easterly line of said Lot 26 all in Rousseau's Subdivision to the City of Fort Wayne, Indiana, according to the plat thereof recorded in Plat Book 10, page 99 in the Office of the Recorder of Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 16, 1978, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said utility easement.

WHEREAS, said vacation of the utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED no public utility occupying and using said easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

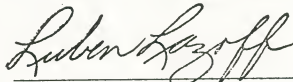
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, _____, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 23, 1978, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 27th DAY OF October, 1978

FORT WAYNE CITY PLAN COMMISSION



Luben Lazoff
Secretary

66-221-15
10/30/78

R E S O L U T I O N 66-221-15

WHEREAS, MC DONALD'S RESTAURANT has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated public utility easement situated in Fort Wayne, Allen County, to-wit:

An easement, 6 feet in width, for pole lines, sewer and gas, over the Southerly 3 feet of Lots 22, 23, 24, 25, and 26 and over that part of the Northerly 3 feet of Lot 2 lying Westerly of the Southerly projection of the Easterly line of said Lot 26 all in Rousseau's Subdivision to the City of Fort Wayne, Indiana, according to the plat thereof recorded in Plat Book 10, page 99 in the Office of the Recorder of Allen County, Indiana

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of the utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and through the public utility companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, IN.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said utility easement, hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting on October 30, 1978 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 30 DAY OF October, 1978

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

October 26, 1978

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, October 26, 1978, I have approved the following ordinances passed by the Common Council at its regular meeting of October 24, 1978.

(Bill No. S-78-10-01)

SPECIAL ORDINANCE NO. S-184-78

AN ORDINANCE approving Civil City Purchase Order No. 4-03150 with Allen County Motors for a vehicle for the Street Engineering Department

(Bill No. S-78-10-02)

SPECIAL ORDINANCE NO. S-185-78

AN ORDINANCE approving bid document Ref. Nos. 845, 846, 849, 850 and 851 for purchase of various radios for the Board of Public Safety

(Bill No. S-78-10-04)

SPECIAL ORDINANCE NO. S-186-78

AN ORDINANCE approving an agreement between the City of Fort Wayne and R. L. Polk & Company, to compile an Urban Statistical Information Package

(Bill No. R-78-10-28)

RESOLUTION NO. R-48-78

A RESOLUTION authorizing payment to various agencies for repair of various vehicles

(Bill No. R-78-10-29)

(as amended)

RESOLUTION NO. R-49-78

A RESOLUTION approving Application for Program Reservation and Preliminary Loan for Low-Rent Public Housing



(Bill No. Z-78-08-09)
ZONING MAP ORDINANCE NO. Z-23-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. S-14

(Bill No. Z-78-08-34)
ZONING MAP ORDINANCE NO. Z-24-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-27

(Bill No. Z-78-09-12)
ZONING MAP ORDINANCE NO. Z-25-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

(Bill No. Z-78-09-13)
ZONING MAP ORDINANCE NO. Z-26-78

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-34

(Bill No. S-78-10-10)
SPECIAL ORDINANCE NO. S-187-78

AN ORDINANCE approving Change Order No. 1 in connection with Nebraska Phase III

(Bill No. S-78-10-11)
SPECIAL ORDINANCE NO. S-188-78

AN ORDINANCE approving City Utilities Purchase Order No. 0301 with Treaty Company for materials for the Water Pollution Control Engineering Dept.

(Bill No. S-78-10-12)
SPECIAL ORDINANCE NO. S-189-78

AN ORDINANCE approving an Agreement with Allen Corporation, for construction of a Sanitary Sewer

(Bill No. S-78-10-13)
SPECIAL ORDINANCE NO. S-190-78

AN ORDINANCE approving an Agreement with Clarence R. Hewes, Developer, for construction of a sanitary sewer

(Bill No. S-78-10-14)
SPECIAL ORDINANCE NO. S-191-78

AN ORDINANCE approving Water Contract No. 7815 with Wheatridge Investors, Inc.

(Bill No. S-78-10-15)

SPECIAL ORDINANCE NO. S-192-78

AN ORDINANCE approving an agreement between the City of Fort Wayne, Indiana and Ecolsciences, Inc., for Combined Sewer Overflow Program in City of Fort Wayne, Indiana

(Bill No. S-78-10-16)

SPECIAL ORDINANCE NO. S-193-78

AN ORDINANCE approving City Utilities Purchase Order No. 0238 with Preferred Products for materials for the Street Lighting Department

(Bill No. S-78-10-17)

SPECIAL ORDINANCE NO. S-194-78

AN ORDINANCE approving City Utilities Purchase Order No. 0289 with General Electric Company for materials for the Street Lighting Department

(Bill No. S-78-10-18)

SPECIAL ORDINANCE NO. S-195-78

AN ORDINANCE approving City Utilities Purchase Order No. 0290 with Preferred Products for materials for the Street Lighting Department

(Bill No. S-78-10-19)

SPECIAL ORDINANCE NO. S-196-78

AN ORDINANCE approving City Utilities Purchase Order No. 0296 with General Electric Company for materials for the Street Lighting Department

(Bill No. S-78-10-20)

SPECIAL ORDINANCE NO. S-197-78

AN ORDINANCE approving City Utilities Purchase Order No. 0299 with Preferred Products Company for materials for the Street Lighting Department

(Bill No. S-78-10-21)

SPECIAL ORDINANCE NO. S-198-78

AN ORDINANCE approving City Utilities Purchase Order No. 0300 with General Electric Company for materials for the Street Lighting Department

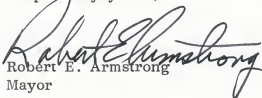
(Bill No. S-78-10-22)
SPECIAL ORDINANCE NO. S-199-78

AN ORDINANCE approving City Utilities Purchase Order No. 0322 with Westinghouse Electric Supply Co., for materials for the Street Lighting Department

(Bill No. S-78-10-23)
SPECIAL ORDINANCE NO. S-200-78

AN ORDINANCE approving City Utilities Purchase Order No. 0324 with Preferred Products Company for materials for the Street Lighting Department

Respectfully yours,


Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

11-14-78
MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

26 October 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-09-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of October 1978.

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 23, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-78-09-14
2. From "R3" to "B1A"
3. Intended Use: Gift Shop
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. This request is spot zoning.

If there are any questions with regard to this ordinance, please feel free to call on us.

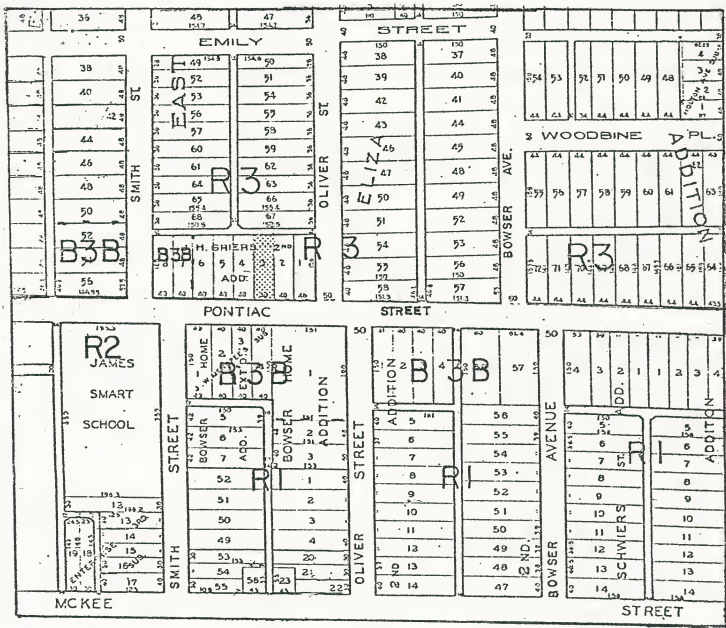
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



REZONE FROM R3 TO BIA

MAP NO. 0-3

Z-78-09-14



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 12, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-09-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 23, 1978.

Certified and signed this
26th day of October, 1978

A handwritten signature in cursive script, reading "Luben Lazoff".

Luben Lazoff
Secretary



11-14-78
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-78-09-11

Respectfully submitted,

CITY PLAN COMMISSION

Luben Lazoff
Secretary

Certified and signed this
26th day of October 1978.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held October 23, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-78-09-11
2. From "R1" to "R3"
3. Intended Use: Professional Offices
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. The highest and best use of this property is still single family. There has been a large amount of single family construction in the area of this change within the last five (5) years and it is still continuing.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING
Division of Long Range Planning
& Zoning

Gary F. Baeten
Senior Planner

GFB:pb
Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 12, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-09-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 16, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 23, 1978.

Certified and signed this
26th day of October, 1978.

A handwritten signature in cursive script, reading "Luben Lazoff".

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

DATE

MADE A MATTER OF RECORD

CHARLES W. WESTERMAN CITY CLERK

26 October 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-78-09-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of October, 1978.

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

The following is the recommendation of the City Plan Commission pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-78-09-10
2. Plan Commission Recommendation: WITHDRAW

This ordinance was requested to be WITHDRAWN by written request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

City Plan Commission


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

October 23, 1978

Plan Commission
City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

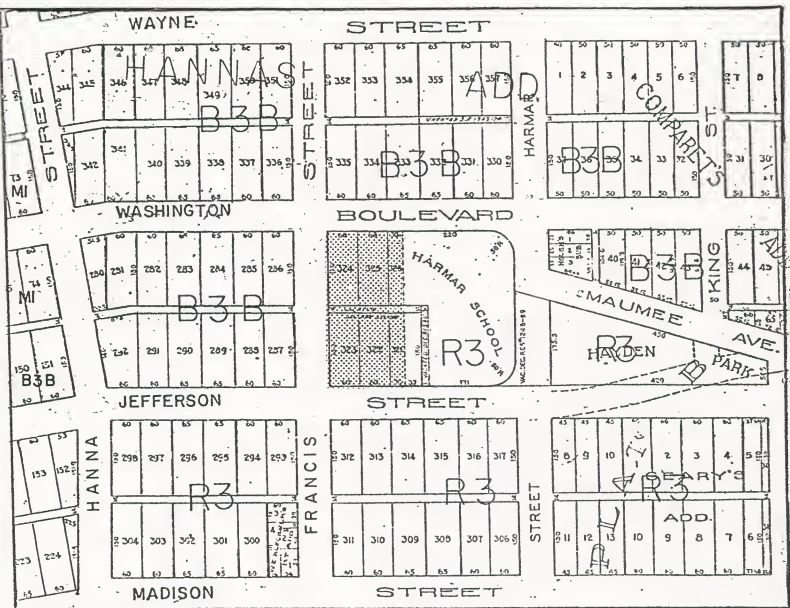
Dear Sirs:

We hereby request that you withdraw the petition filed by U-Haul of Northern Indiana, Inc. for the rezoning of property at Washington Boulevard and Francis Street, which petition is up for consideration by the Plan Commission at its October 23, 1978, meeting. The petitioner is withdrawing its request and petition for the change.



Robert A. Miner, President
U-Haul of Northern Indiana,
Inc.
822 - 165th Street
Hammond, Indiana 46324

RAM/jc



REZONE B3B TO M1

MAP NO N6

Z-78-09-10

BY M.F.C. 8-17-78





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

DATE

MADE A MATTER OF RECORD

CHARLES W. WESTERMAN, CITY CLERK

26 October 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated street.

The proposed ordinance is designated as:

BILL NO. G-78-08-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of October, 1978.

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street vacation acted upon by the City Plan Commission at their regular meeting held September 25, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-78-08-12
2. Intended Use: Vacated street will be utilized by the abutting property owners.
3. Plan Commission Recommendation: DO PASS with condition.

This ordinance received a DO PASS recommendation with the following condition of an "Option and Waiver of Damages Agreement".

Subject to the City of Fort Wayne determining a Wells Street improvement alignment prior to the ten (10) year stipulation in which Marion Court would not be affected this option of option and waiver of damage agreement shall become null and void.

If there are any questions with regard to this ordinance, please feel free to call on us.

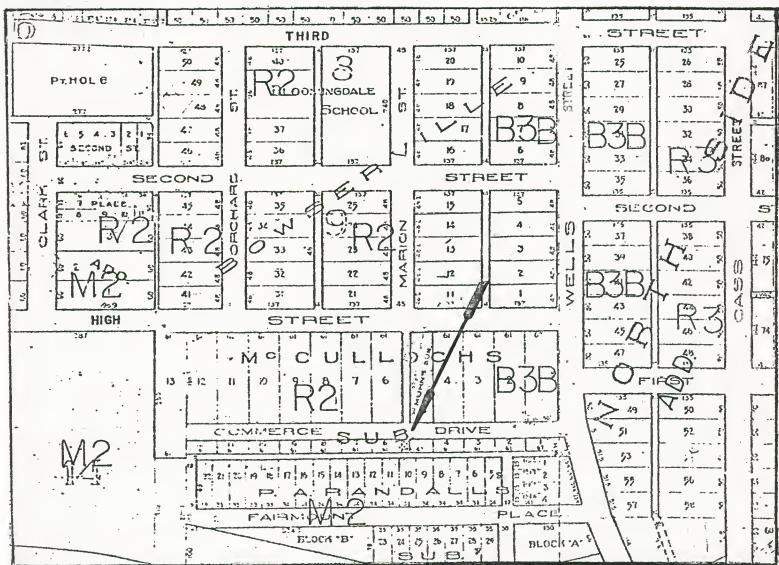
Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



VACATE STREET

MAP NO. L-10

G-78-08-12

OPTION AND WAIVER OF DAMAGES AGREEMENT

WHEREAS, Thomas H. Weedman and Lois H. Weedman are the owners of the South 29 feet of Lot 6 in McCulloch's Subdivision to the City of Fort Wayne and the South 29 feet of Lot 4 of Muhn's Subdivision to the City of Fort Wayne, which adjoin the South 29 feet of a 14 foot right-of-way dedicated in the Plat of Muhn's Subdivision to the City of Fort Wayne, recorded August 27, 1925, in Plat Record 11, page 78, in the office of the Allen County Recorder, which right-of-way is now known as Marion Court,

WHEREAS, said part of said right-of-way has never been used and developed as a public right-of-way and has never been cut through or confirmed as such,

WHEREAS, said part of said right-of-way has been occupied by a building and privately used by the undersigned and their predecessors in title for more than 40 years last past,

WHEREAS, the undersigned have requested the Fort Wayne City Plan Commission for authority to vacate the plat of said part of said right-of-way of record and the City of Fort Wayne Street Engineering Department has objected to said vacation on the ground that said part of said right-of-way might be needed as part of an alternate route for the proposed extension of the Wells Street Corridor in the area, which might require the condemnation of said part of said right-of-way if said right-of-way were now vacated,

WHEREAS, the undersigned have agreed that in the event of the vacation of said part of said right-of-way, they, and/or their successors in title, will agree to convey said vacated part of said right-of-way to the City of Fort Wayne for One (\$1.00) Dollar, in the event said vacated part of said right-of-way is required or used by the City of Fort Wayne for the extension of the Wells Street Corridor within a period of ten (10) years from the date hereof,

NOW, THEREFORE, in consideration of the sum of One (\$1.00) Dollar, the receipt of which is hereby acknowledged, and in further consideration of the granting of authority by the Fort Wayne City Plan Commission to the vacation of

that part of said right-of-way, which is described as follows:

The South 29 feet of a 14 foot right-of-way dedicated in the Plat of Muhn's Subdivision to the City of Fort Wayne in Plat Record 11, page 78, in the office of the Allen County Recorder, which parcel is bounded on the East by the South 29 feet of Lot 4 of said Muhn's Subdivision, and on the West by the South 29 feet of Lot 6 in McCulloch's Subdivision to the City of Fort Wayne,

the undersigned, for themselves and their successors in title, hereby grant to the City of Fort Wayne the exclusive option to purchase the above described real estate for the sum of One (\$1.00) Dollar for a period of 10 years from the date hereof, in the event the City of Fort Wayne requires the use of said described real estate for the extension of the proposed Wells Street Corridor within said period of time.

In said event, the undersigned, for themselves and for their successors in title, further waive any and all claims for damages if the above described property should be condemned for said purpose within said period of time.

Provided, however, in the event the City of Fort Wayne determines the Wells Street improvement alignment prior to said 10-year period, and determines that the above described real estate will not be needed or affected by said improvement, then this option and waiver of damage agreement shall forthwith terminate.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 12th day of October, 1978.

Thomas H. Weedman
(Thomas H. Weedman)

Lois H. Weedman
(Lois H. Weedman)

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public in and for said county and state, this 12th day of October, 1978, Thomas H. Weedman and Lois H. Weedman, husband and wife, and acknowledged the execution of the above and foregoing instrument as their voluntary act and deed.

My Commission Expires:

May 19, 1981

Larry M. Miller
(Larry M. Miller) Notary Public
of Allen County.

This instrument prepared by: John E. Hoffman, Attorney.

66-220-14 10/30/78

R E S O L U T I O N NO. 66-220-14

WHEREAS, THOMAS AND LOIS WEEDMAN, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

The South 29 feet of a 14 foot right-of-way known as Marion Court, running from Commerce Drive South to the first East/West alley South of Commerce Drive

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 in Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and thorough the public utility companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street, hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent of said vacation.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting on October 30, 1978 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 30 DAY OF October 19

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

R E S O L U T I O N

WHEREAS, THOMAS H. WEEDMAN and LOIS H. WEEDMAN have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Fort Wayne, Allen County, to-wit:

The South 29 feet of a 14 foot right-of-way known as
Marion Court, running from Commerce Drive South to the
first East/West alley South of Commerce Drive

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 18, 1978, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Luben Lazoff, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held September 25, 1978, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 6th DAY OF October, 1978

FORT WAYNE CITY PLAN COMMISSION



Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

MADE A MATTER OF RECORD
DATE 11-14-78 CHARLES W. WESTERMAN, CITY CLERK

26 October 1978

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission
on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

BILL NO. G-78-09-49

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of October, 1978.

Luben Lazoff
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 October 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one alley vacation acted upon by the City Plan Commission at their regular meeting held October 23, 1978. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-78-09-49
2. Intended Use: Vacated alley right-of-way will be utilized by the abutting property owners.
3. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachment



MAP NO. L-7

BY M.F.C. 8-1-78

66-221-16
10/30/78

RESOLUTION 66-221-16

WHEREAS, THE LUTHERAN HOSPITAL, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portions of public alleys situated in Fort Wayne, Allen County, to-wit:

The alley running North from the South end of Lot Number 117 of L.N. Nindes Addition, to the South end of Lot Number 46 then West to the East right-of-way line of South Wayne Avenue. Also the portion of the alley from the South right-of-way line of Home Avenue along the West side of Lot Number 41 of Nindes Addition and extending to the South end of Lot Number 41.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Water Engineering, Electrical Engineering, Park Board and through the public utility companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portions of public alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alley, hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portions of public alleys or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting on October 30, 1978 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 30 DAY OF October 1978

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

WHEREAS, THE LUTHERAN HOSPITAL, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a public alley in Fort Wayne, Allen County, IN, to-wit:

The alley running North from the South end of Lot Number 117 of L.N. Nindes Addition, to the South end of Lot Number 46 then West to the East right-of-way line of South Wayne Avenue. Also the portion of the alley from the South right-of-way line of Home Avenue along the West side of Lot Number 41 of Nindes Addition and extending to the South end of Lot Number 41

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held October 16, 1978, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portions of alley.

WHEREAS, said vacation of the alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plant of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of alleys in Allen County, Indiana.

STATE OF INDIANA))
COUNTY OF ALLEN) SS:

I, LUBEN LAZOFF, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 23, 1978, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 26th DAY OF October 1978

FORT WAYNE CITY PLAN COMMISSION

FORT WAYNE CITY PLAN COMMISSION
Luben Lazoff
Secretary

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 14th day of November, 19 78 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 16th day of December, 19 78.

Charles W. Westerman
Charles W. Westerman
City Clerk